

BOARD OF APPEALS

SPECIAL EXCEPTION APPLICATION

In accordance with Chapter 24, Article VII, Section 24-187-190 of the City Code

Application No. _____

Date Filed _____

PC Agenda Date _____

Property Posted _____

Legal Ad _____

PC Recommendation _____

BOA Hearing _____

Decision _____

Time Limit _____

Date of Decision _____

Opinion Rendered _____

SUBJECT PROPERTY _____

ADDRESS _____

ZONING CLASSIFICATION _____

LOT _____ BLOCK _____ SUBDIVISION _____

APPLICANT _____ TELEPHONE _____

ADDRESS _____

SPECIAL EXCEPTION TYPE _____

NATURE OF APPLICATION

Briefly describe application request **referencing appropriate section of City Code.**

List case numbers of all applications filed within the past three (3) years pertaining to any portion of subject property.

SUBMISSION REQUIREMENTS

1. **A written statement** explaining the request to the Board of Appeals.
2. **Supporting documentation**, see list on reverse side.
3. **Fees**, see separate schedule.

I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Signature _____ Date _____

SUBMISSION REQUIREMENTS

In accordance with Chapter 24, Article VII, Section 24-188(a)(l) of the City Code

An application for a special exception must go to the Planning Commission for a recommendation.

1. ☐ **A statement explaining in detail how the Special Exception is to be operated**, including hours of operation, number of anticipated employees, occupants and clientele, equipment involved and any special conditions or limitations which the petitioner proposes for the adoption by the Board of Appeals.
2. ☐ **Survey plats, siteplans or other accurate drawings** showing boundaries, dimensions, area, topography and frontage of the property involved, as well as the location and dimensions of all structures existing and proposed from the nearest property lines.
3. ☐ **Plans, architectural drawings, photographs, elevations, specifications** of other detailed information depicting fully the exterior appearance of the existing and proposed construction, including parking and access, exterior lighting, and signs involved in the petition.
4. ☐ **Plans showing conformance with City Environmental Standards for Development Regulation, Chapter 22 of the City Code, and additional landscape and lighting plan.**
5. ☐ **Copy of official zoning vicinity map** with a one-thousand-foot radius (circle) surrounding the subject property and other information to indicate the general conditions of use and existing improvements on adjoining and confronting properties. (Zoning map is available from the Planning and Code Administration).
6. ☐ **List of names and addresses of adjoining and confronting property owners or occupants** within two hundred feet of the subject parcel. If such property is a condominium, cooperative, or owned by a homeowners' association the petitioner must provide their current address and that of their resident agent. (Information can be researched in Planning and Code Administration.)
7. ☐ **The lease, rental agreement or contract to purchase by which the petitioner's legal right to prosecute the petition is established**, if the petitioner is not the owner of the property involved, or the authorized agent of the owner.
8. ☐ **Applicable Master Plan maps** reflecting proposed land use, zoning and transportation, together with any other portions of the applicable Master Plan deemed pertinent by the petitioner. (Available from the Planning and Code Administration).
9. ☐ **All additional exhibits** which the petitioner intends to introduce and/or the identification of exhibits intended to be introduced at the public hearing.
10. ☐ **A summary of what the petitioner expects to prove**, including the names of petitioner's witnesses, summaries of the testimony of expert witness, and the estimated time required for presentation of the applicant's case.
11. ☐ **All expert reports shall be filed at least fifteen (15) days prior to the public hearing.**
12. ☐ **A list of names and addresses of persons whom you wish to notified of the public hearing**, other than adjacent property owners.
13. ☐ **Required fee.**

CRITERIA

In accordance with Chapter 24, Article VII, Section 24-189(b) of the City Code

The Board of Appeals may grant a Special Exception if the proposed use:

- Is a permissible special exception within the zone and that the application therefor complies with all procedural requirements set forth in the article.
- Complies with standards and requirements specifically set forth for such use as may be contained in this chapter and the development standards for the zone within which the intended use will be located.
- Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and will course no objectionable noise, vibrations, fumes, odors, dust, toxicity, glare or physical activity.
- Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structure or conversion of existing structures; as well as the intensity and character of activity, traffic and parking conditions and number of similar uses.
- Will be consistent with the Master Plan or other planning guides or capital programs for the physical development of the district.
- Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area.
- Will be served by adequate public services and facilities, including police and fire protection, water and sanitary sewer, storm drainage, public roads and other public improvements.
- When located in a residential zone where buildings or structures are to be constructed, reconstructed or altered shall, whenever practicable, have the exterior appearance of residential buildings and shall have suitable landscaping, screening or fencing.